

United States District Court

WESTERN

DISTRICT OF

NEW YORK

UNITED STATES OF AMERICA

V.

SUPPLEMENTAL
JUDGMENT IN A CRIMINAL CASE

DAVID C. MADAY

Case Number: CR 88-00145 C

(Name and Address of Defendant)

Mark Mahoney, Esq.

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(s) IX, and
☐ not guilty as to count(s) _____

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(s) IX

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____
☐ judgment of acquittal as to count(s) _____

The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF: receiving visual depictions through the U.S. mail involving the use of minors engaging in sexually explicit conduct and having knowledge as to the nature and character of material in violation of T. 18 U.S.C. §2252(a)(2). (CT IX)

IT IS THE JUDGMENT OF THIS COURT THAT: the imposition of sentence imposed on the defendant on May 21, 1991 is suspended and the defendant is placed on probation for four (4) years. A condition of probation, is that defendant continue to meet with Dr. Tom Mazur. Defendant is fined \$20,000.00 to be paid with sixty (60) days.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ _____ pursuant to Title 18, U.S.C. Section 3013 for count(s) _____ as follows:

IT IS FURTHER ORDERED THAT counts I through X and XI are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

October 17, 1991

Date of Imposition of Sentence

Signature of Judicial Officer

John T. Curtin, U.S.D.J.

Name and Title of Judicial Officer

October 28, 1991

Date

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____ Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal